

Draft Minutes

**Nevada State Emergency Response Commission**

State Emergency Response Commission

4th Quarterly Meeting

Clark County Government Center

500 S. Grand Central Parkway, Pueblo Room

Las Vegas, Nevada

October 14, 2004

**Members Present**

B. Jim Reagan  
L. Tom Czehowski  
Susan Crowley  
Richard Mirgon  
Larry Farr  
Jim O'Brien  
John Helmreich  
Jolaine Johnson  
Doyle Sutton  
Richard Brenner  
Carl Byrd  
Brett Skinner  
Douglas Webb

**Members Absent**

Verl Jarvie  
Lawrence Jacobsen  
Senator Rawson  
Senator Nolan  
Frank Siracusa

**Guests**

Beverly Relyea  
Russel Peacock  
Marge Gunn  
Chad Hastings  
Fernandez Leary  
Stacey Giomi  
Kathy Brady

**Staff**

Karen Kennard  
Cheryl Folkers  
Glade Myler  
Bruce Ferrel

**I. Call to Order**

Richard Brenner called the meeting to order at 9:02 a.m.

**II. Introductions**

Introductions were made around the room as shown above.

**III. Approval of July 8, 2004 Meeting Minutes**

Jim O'Brien motioned to approve the July 8, 2004 minutes. L. Tom Czehowski seconded the motion, which was approved unanimously.

**IV. Public Comment**

There was no public comment.

**V. New Business**

**A. Local Emergency Planning Committee Updates (attending LEPC Representatives)**

*Clark-*

Mr. O'Brien stated Clark County is registered with FEMA as a Citizen Corps Council. All of the Citizen Corps Council activities for Homeland Security are going through the Clark County LEPC. Hazmat Expo has over 250 attendees registered and approximately forty exhibitors. On the LEPC information exchange website the Hazmat Expo Conference is listed as a National Conference.

<i>Carson City-</i>	Stacey Giomi stated their LEPC formed a committee to update the State Disaster Mitigation Plan. The LEPC is also reviewing the Comprehensive Emergency Operations Plan.
<i>Douglas-</i>	Richard Mirgon stated their LEPC has updated the bylaws.
<i>Esmeralda-</i>	No report.
<i>Lincoln--</i>	Margie Gunn stated Lincoln County LEPC is sending forty attendees to the Hazmat Explo Conference.
<i>White Pine-</i>	Russel Peacock stated they now have media representation for their LEPC. They have also updated their bylaws.
<i>Washoe-</i>	Larry Farr stated Jim Lopey is completing his term as LEPC chair. The LEPC has hired Cathy Ludwig to manage all SERC and Homeland Security grants.
<i>Lander-</i>	Carl Byrd stated there has been no activity with Lander County LEPC.
<i>Nye-</i>	Bev Relyea stated Nye County has a current membership list for their LEPC. The County is working on getting the LEPC active and into compliance.

#### **B. U.S. Environmental Protection Agency Update – Mike Ardito**

Mike Ardito passed out a newsletter for everyone to review.

- There will be an overview of the Homeland Security presidential directives at the Hazmat Explo in conjunction with the NASSTPO meeting.
- The EPA will be providing Weapons of Mass Destruction classes at the Hazmat Explo.
- Tom Dunkelman will be back full time with EPA starting November 1. Mr. Dunkelman will be based in Carson City as an On Scene Coordinator.
- There will be a meeting in Minden on October 26 for the Carson and Walker River Geographic Response Plan.

Mr. Mirgon thanked Mr. Ardito for his support of the Nevada SERC.

#### **C. U.S. Federal Emergency Management Agency Update – Todd Smith**

Todd Smith was not represented at the meeting.

#### **D. Occupational Safety and Health Administration Update – L. Tom Czehowski**

L. Tom Czehowski, OSHA, stated OSHA Regions Two and Three sent staff to the hurricane sites in Florida and Georgia for support. OSHA has also been designated as the Coordinator on all events for safety and health within the National Response Plan. There are two emergency response teams in Nevada. In addition there are four separate teams at the federal level for radiological, chemical, biological and structural collapse.

#### **E. Nevada Division of Emergency Management Update – Frank Siracusa**

Glade Myler, Sr. Deputy Attorney, stated Nevada Division of Emergency Management has submitted the Nevada Multi-Hazard Mitigation Plan to FEMA. The division is also completing updates to the State Hazmat Plan and will be forwarding to the agencies a draft copy for review.

**F. Nevada Division of Environmental Protection Update – Jolaine Johnson**

Jolaine Johnson, NDEP, stated the administrator, Allen Biaggi, has been appointed director of the Department of Conservation and Natural Resources. The administrator position for NDEP has been shared by Ms. Johnson and Leo Drozdoff. There will be someone appointed as administrator by the end of October. The State Hazardous Materials Response Plan is in draft form and will be available for review by local and state agencies in the next few weeks. The Tahoe River Plan has been completed and distributed. EPA is working with the Emergency Response Team in Las Vegas to develop a Weapons of Mass Destruction instrumentation class. Ms. Johnson also stated Tom Dunkelman has been an asset and NDEP is glad he will be based in Nevada. EPA has requested a new position to support working on hazmat spills in Nevada. The Chemical Accident Prevention Program will be going through regulation changes in November. NDEP has been working with the State Health Division for the last four years on the concept of moving the safe drinking water regulatory programs to be housed within the Division of Environmental Protection. The Governor's Office is in support of this effort. Eric Matus, NDEP, will be doing a presentation at Hazmat Expo on the mercury response at a school in Douglas County. Mr. Matus will also be doing a presentation with Mike Alexander, DEM, on the State Hazardous Materials Response Plan.

**G. Nevada State Fire Marshal Update – Doyle Sutton**

Doyle Sutton, Fire Marshal, stated their division is working on a strategic plan with the Department of Public Safety (DPS) and all divisions associated with the Department. DPS Personnel will possibly hire an officer who will be able to move through the divisions and look into moving the leadership into different divisions. A training officer with SFM has been assigned temporarily to the DPS Training Division and is working on NIMS training for the Department. There will be changes on the National Fire Association Aid Development for their grant criteria. There will also be a separation of the fire prevention and regular fire grant act. Staff have completed the Governor's Annual Report and submitted it to the Governor's Office. The Fire Marshal's Office is in the processes of replacing two administrative assistants and two plan examiner positions. Marty Lucas, Chief Deputy, is leaving the first part of November. The Fire Marshal's Office has hired a hazmat deputy and placed him in Elko. The Fire Marshal's Office have established regional training districts with a training officer in each region.

**H. Legislative Committee Report**

The Committee has not met since the last SERC meeting. Mr. O'Brien stated there is a bill draft request for SERC stating various changes being made to the Commission on the Legislative website. Ms. Kennard stated it was determined this is in reference to bill number 715. After checking with the legislature, it was determined this is the bill draft request SERC submitted for establishing a maximum fee on TRI reports the fee cap.

**I. Strategic Planning Committee Report**

The Committee has not met since the last SERC meeting.

## **J. Funding Committee Report**

### **1. Discussion on updated equipment list and related costs**

An updated equipment list and related costs were provided to the Commission for review. The Funding Committee recommends approval of the equipment list and related costs. Mr. O'Brien motioned to approve the equipment list. Ms. Johnson seconded the motion. Mr. O'Brien amended the motion to change the name from equipment list to price list. Ms. Johnson seconded the amendment which was approved unanimously.

### **2. Discussion to determine what training will be provided by the State Fire Marshal's Office or provided with SERC funds and to establish process and timelines**

Mr. Sutton stated there is a series of classes being developed in different regions and published on their website. The series of classes will be in awareness, operations, technician specialist, hazmat incident command and hazmat safety. Mr. Sutton stated since he became Fire Marshal he is aware of only two classes which could not be provided by the Fire Marshal's Office. Ms. Kennard stated this issue was brought up at the Policy/Legislative Committee meetings. There were questions on the current policy of all training requests having to go through the SFM first, and if they were denied, the training could then be requested from SERC. It was also suggested to establish a timeline for requests to go to the SFM. The Funding Committee recommends only training not published by the SFM can be requested through the grant application. Ms. Crowley motioned to recommend the Policy Committee review this policy. Mr. O'Brien seconded the motion which was approved unanimously.

### **3. Discussion pursuant to direction of SERC to revise exercise form previously approved by the Planning and Training Subcommittee. SERC recommends making a one page form and allowing LEPCs to choose whether to use entire FEMA form or the one page form.**

The Funding Committee has reviewed the one page exercise form and recommends approval. Mr. O'Brien motioned to approve the one page exercise form. Mr. Farr seconded the motion which was approved unanimously.

### **4. Discussion of possible 2005 SERC operations grant award to Humboldt County LEPC**

Ms. Kennard stated the Humboldt LEPC was not eligible for grant funds because they failed to notify SERC they had reviewed the hazmat plan and approved it with no changes or updates. Staff has been in contact with the County Administrator and the County Commission Chair and they are making efforts to reestablish their LEPC. The Funding Committee recommends awarding  $\frac{3}{4}$  of the \$4,000 SERC operations grant to Humboldt LEPC. Mr. O'Brien motioned to approve the Funding Committee recommendation. Mr. Czehowski seconded the motion which was approved unanimously.

### **5. Discussion and update on compliance of Lander, Nye and Pershing County LEPC**

*Lander-*

The Funding Committee held off on comments or suggestions knowing Mr. Byrd would be at the SERC meeting. Ms. Kennard stated Lander County

is currently out of compliance. Last January SERC awarded a \$2,000 SERC of the operations grant. Staff has not received any reports of the funds being spent. Mr. Byrd stated there is no participation from agencies or organization to conduct a LEPC meeting. The county has a requirement which prohibits county employees from serving in leadership functions. Mr. Byrd is in the process of trying to change this requirement. There is a former member of the LEPC running for County Commissioner and if elected, there may be more support for the LEPC.

*Nye-* Steve Maison has been appointed acting LEPC chair. Ms. Kennard has been in contact with the County Manager, Michael Maher, and the county is working to get their LEPC into compliance. Mr. Maison is currently working on the Hazmat Plan and hopes to have the LEPC membership, bylaws, and the plan in compliance by January.

*Pershing-* There has been no recent contact with the LEPC chair. SERC did award Pershing County with \$2,000 in SERC operations grant last January. Staff had numerous contacts with the LEPC chair, Rich Wagner. He seems eager when talking to him then staff does not receive the requested documents.

The Funding Committee recommends directing a letter to Pershing and Lander County Commissioners including fire chiefs and sheriffs. It was suggested to give Pershing County a date to become compliant or SERC will deobligate their current grant awards which total approximately \$25,000 in operations and equipment. Mr. O'Brien motioned to accept the Funding Committee's recommendation. Mr. Farr seconded the motion which was approved unanimously.

**6. Discussion on procedures on funding process of revenue derived from sale of "United We Stand" license plates**

The license plates are currently on sale. At the Funding Committee meeting the LEPCs were not in support of the funds going to the Homeland Security Commission. The Funding Committee recommended having an extra line item on the grant applications and combining it with the current SERC grant. Ms. Kennard stated the state budget division and the NRS require funds be accounted for in a separate budget. Mr. Farr motioned to recommend this issue to the Policy Committee for review. Mr. Czhowski seconded the motion which was approved unanimously.

**7. Discussion/Recommendation/Review of USDOT Hazardous Material Emergency Preparedness Grant applications**

The Funding Committee is recommending approval of all the grant applications after reducing each application to include two people to a car, two people to a room changing the registration requests from \$135 to \$105. Lyon County LEPC reduced their request from ten attendees to five. Clark County LEPC offered an in-kind match to offset the difference

in funding available and funding requested. It was also suggested to award any unused grant funds to Clark County LEPC up to the amount they originally requested for their grant application. After discussion and review of the grant applications Mr. Farr motioned to approve the applications as recommended by the Funding Committee. Also, to add an a maximum of \$14,000 in SERC funds to cover the difference between what was requested and the amount of HMEP funds available. Mr. Helmreich seconded the motion which was approved unanimously.

**K. Bylaws Committee Report**

The Committee has not met since the last SERC meeting. Ms. Kennard stated staff has removed the Outreach Committee from the bylaws after the SERC approved its removal from the committee list.

**L. Information Technology Committee Report**

The Committee has not met since the last SERC meeting.

**M. Policy Committee Report**

The Committee has not met since the last SERC meeting.

**N. Discussion and update on compliance status of Churchill LEPC**

Ms. Kennard stated Churchill LEPC was awarded \$20,000 in HMEP grant funds. The grant was to be obligated by the end of the grant period which was June 30. The expenditure was to be made by August 15. Mr. Ferrel spoke to the LEPC chair, Mert Mickelson, who stated the expenditure will not be completed until September 30. Staff approved an extension on the expenditure. Prior to September 30, Mr. Ferrel contacted the LEPC chair regarding the expenditure. He stated the expenditure would not be paid until after the exercise on October 23 and requested another extension until November 15. If the grant funds are not spent, they will be reverted to the federal agency. Mr. Mirgon suggested having staff send a letter to the LEPC chair reminding him of the policies and stating funds will be deobligated by a certain date. He also recommended this issue be sent to the Policy Committee to be reviewed.

**O. Discussion regarding presentation of a hazardous materials database application at HazMat Explo 8**

Mr. Mirgon stated he and Ms. Kennard had a demonstration on a software package which will do everything the SERC has wanted the database to do. Mr. Mirgon stated the company offering the software will be doing a demonstration at the HazMat Explo Conference this year. He would like to have the Commission attend to see the software demonstration so the SERC can discuss it at the next meeting to determine if this is something the SERC would be interested in. The presentation will be on Tuesday November 16, 2004 at 1:00 p.m.

**P. Executive Director Report**

Ms. Kennard updated the Commission on the following:

- The Interlocal Agreement between the SERC and the State Fire Marshal's Office was completed on July 27, 2004.
- The FY 04 budget has been closed with a balance forward amount of \$543,000. FY 05 shows a projection of \$384,00 being balance forward to FY 06. There was about \$24,000 in highway funds returned from the closing of 2004.

- The biennial budget for FY 06 and 07 has been completed. The enhancements for the budget include the website hosting, copier maintenance, estimated annual expenses for a data base, revenue for the license plate, increased amount for rent, and a replacement computer.
- Staff has looked at some available office space.
- The HazMat Explo Conference will be November 15 – 19, 2004 at the Orleans Hotel & Casino.
- Ms. Kennard and the co-chairs will be making a presentation at the NACo Conference on November 18, 2004 in Reno.
- The Illinois lawsuit is scheduled for a status hearing next month.
- Staff has audited most of the LEPCs and will be performing site/monitoring visits by attending LEPC meetings and/or exercises.

## **VI. Adjournment**

B. Jim Reagan motioned to adjourn the meeting.